CITY OF SAN ANTONIO Zoning Commission Agenda

Board Room First Floor, Development Business Service Center 1901 S. Alamo

November 16, 2004 Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

Gilbert Kissling – District 1 Bradley T. Peel – District Mayor

Willie M. Dixson – District 2 Jody Sherrill – District 7

Helen Dutmer – District 3 Dr. Morris A. Stribling – District 8

Henry Avila – District 4

Rita Cardenas-Gamez – District 5

James McAden – District 9

Steven B. Grau – District 10

Christopher R. Martinez – District 6

Chairman

- 1. Work Session briefing by staff to discuss zoning case recommendations and other items for consideration on agenda for November 16, 2004, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.
- 2. Call to Order Board Room 1:00 PM.
- 3. Roll Call.
- 4. Pledge of Allegiance.
- 5. Director's Report.
- 6. Consideration of postponement of Zoning Commission Meeting on December 21, 2004.
- 7. Consideration of Amendment to the Unified Development Code Section 35-503 Parks and Open Space Standards.

- 8. **ZONING CASE NUMBER Z2004247:** The request of Kaufman & Associates, Inc., Applicant, for Rosillo Creek Development Ltd., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 2.220 acres out of NCB 12867 and from "MH" Manufactured Housing District to "C-2" Commercial District on 1.423 acres out of NCB 12867 and from "MH" Manufactured Housing District to "R-5" Residential Single-Family District on 62.602 acres out of 12867 and from "BP" Business Park District to "R-5" Residential Single-Family District on 32.784 acres out of NCB 17332 and NCB 17992 and from "BP" Business Park District to "C-2" Commercial District on 3.337 acres out of NCB 17323 and NCB 17992 and from "C-3" General Commercial District to "R-5" Residential Single-Family District on 2.010 acres out of NCB 17992 and from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 426.693 acres out NCB 12867, NCB 17332, NCB 17992 and NCB 35098 and from "C-3" General Commercial District to "MF-33" Multi-Family District on 7.522 acres out of NCB 17993 and 35098 and from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on 27.311 acres out of NCB 17992, NCB 17993 and NCB 35098 and from "R-6" Residential Single-Family District to "C-2" Commercial District on 2.715 acres out of NCB 17992 on Southwest corner of IH-10 and Foster Road. (Council District 2)
 - A. Finding of consistency with Master Plan
 - B. Recommendation on zoning change request
- 9. **ZONING CASE NUMBER Z2004250 C:** The request of Carlos Fernandez, Applicant, for Carlos Fernandez, Owner(s), for a change in zoning from "C-3NA" Commercial District, Nonalcoholic Sales to "C-3NA" C Commercial District, Nonalcoholic Sales, with a Conditional Use for Repairs of Semi-trucks on the east 125 feet of Lots 20 thru 22, Block 2, NCB 12869, 801 Stutts Drive. (Council District 2)
 - A. Finding of consistency with Master Plan
 - B. Recommendation on zoning change request
- 10. **ZONING CASE NUMBER Z2004244:** The request of City of San Antonio, Historic Preservation Officer, Applicant, for Rio Perla Properties, L. P., Owner(s), for a change in zoning to Designate Historic Significance on 0.9145 acres out of NCB 14164, 312 Pearl Parkway. (Council District 1)
- **ZONING CASE NUMBER Z2004245:** The request of Ljubisa Stamenov, Applicant, for Ljubisa Stamenov, Owner(s), for a change in zoning from "C-3" "MAOZ-2" Commercial District Military Airport Overlay Zone to "I-1" "MAOZ-2" General Industrial District Military Airport Overlay Zone on the northeast 140' of Lots 7 & 8, Block 12, NCB 14267, 8730 IH 35 South. (Council District 4)
- 12. **ZONING CASE NUMBER Z2004246:** The request of JLC Development Co., Applicant, for James Johnson, Jr., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-5" Residential Single Family District on CB 4303, NCB 15247, Southeast corner of Ray Ellison Boulevard and Five Palms Drive. (Council District 4)

- 13. **ZONING CASE NUMBER Z2004248:** The request of Dynamic Landhold, L. P., Applicant, for Dynamic Landhold, L. P., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" Commercial District on 0.36 acres of NCB 34400, Northwest corner West Loop 1604 West and West Military Drive. (Council District 6)
- 14. **ZONING CASE NUMBER Z2004249:** The request of Hogan Real Estate Services, Applicant, for Commonwealth SA Apartments, LLC, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on 11.94 acres of NCB 15329, 8330 Potranco. (Council District 6)
- 15. **ZONING CASE NUMBER Z2004251:** The request of Kaufman & Associates, Inc., Applicant, for Frank Nalasco, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on South 178.52 feet of the west 164.98 feet of Lot B, NCB 11511, 1009 Bandera Road. (Council District 7)
- 16. **ZONING CASE NUMBER Z2004252:** The request of Zelzer Corporation, Applicant, for Zelzer Corporation, Owner(s), for a change in zoning from "R-6" Residential Single-Family Hill Country Gateway Corridor District (GC-1) to "MF-33" Multi-Family Hill Country Gateway Corridor District (GC-1) on 5.020 acre tract of land out of NCB 34760, 20025 IH 10 West. (Council District 8)
- 17. **ZONING CASE NUMBER Z2004259:** The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning to establish Neighborhood Conservation District 4 (NCD-4) Overlay on Property generally bounded by Wurzbach Parkway on the northwest, Lockhill-Selma Road on the northeast, Dreamland on the southeast and the Union Pacific Railroad right-of-way on the southwest. (Council District 8)

Public hearing and consideration of a resolution to:

- A. Amend Chapter 35 of the City Code by amending Section 35-304 pertaining to "Official Zoning Map" to establish Neighborhood Conservation District 4 (NCD-4) Overlay District generally bounded by Wurzbach Parkway on the northwest, Lockhill-Selma Rod on the northeast, Dreamland on the southeast and the Union Pacific Railroad Right-of-way on the southwest
- B. Provide for a Neighborhood Conservation Plan.
- 18. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.

19. **ADJOURNMENT.**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request.

Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

Final Staff Recommendation - Zoning Commission

Date: November 16, 2004 Zoning Commission continuance from November 02,

2004

Council District: 7

Ferguson Map: 547 B8

Applicant Name: Owner Name:

Robert Nami Exxon Mobil Corporation

Zoning Request: From R-6 Residential Single-Family District to C-3 Commercial District.

Property Location: Lot 2, Block 1, NCB 18312

7664 Tezel Road

Proposal: To build a restaurant.

Neigh. Assoc. Northwest Crossing, Northwest Park

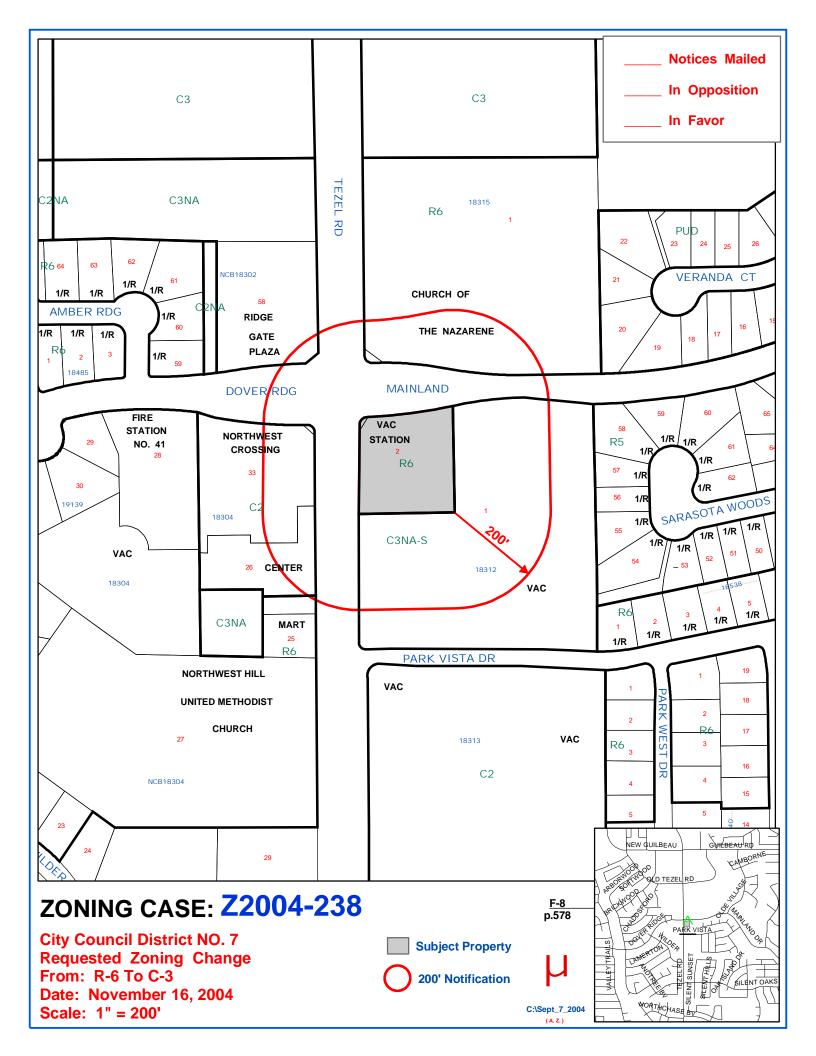
Neigh. Plan Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent. The Northwest Community Plan indicates Neighborhood Commercial at this location. An application for plan amendment has been submitted and will be presented to the Planning Commission for review on December 22, 2004.

Denial. The requested zoning is not consistent with the Northwest Community Plan. If the plan is amended staff will support rezoning to the C-2 level.



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 1

Ferguson Map: 617 A2

Applicant Name: Owner Name:

City of San Antonio, Historic Preservation

Officer

Rio Perla Properties, L. P.

Zoning Request: To Designate Historic Significant

Property Location: 0.9145 acres out of NCB 14164

312 Pearl Parkway

The southwest corner of East Grayson Street and Avenue A

Proposal: To Designate Historic Significant

Neigh. Assoc. Tobin Hill Neighborhood Association and Tobin Hill Residents Association

Neigh. Plan Tobin Hill Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required

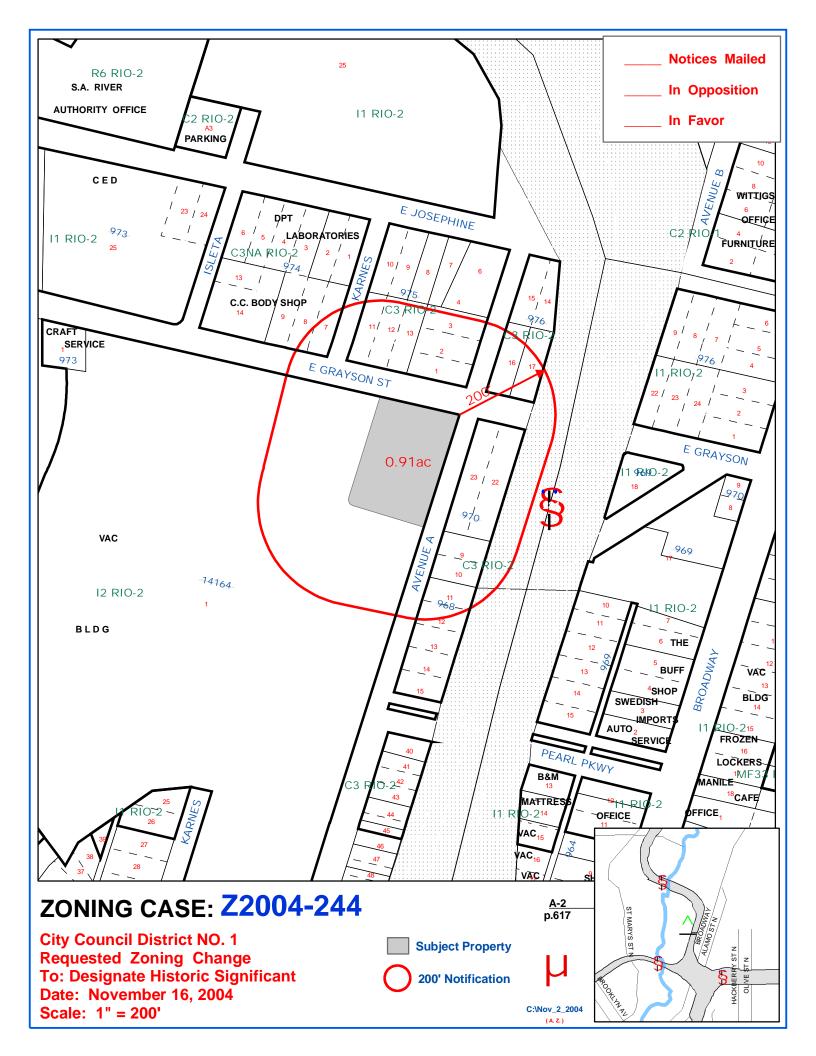
Staff Recommendation:

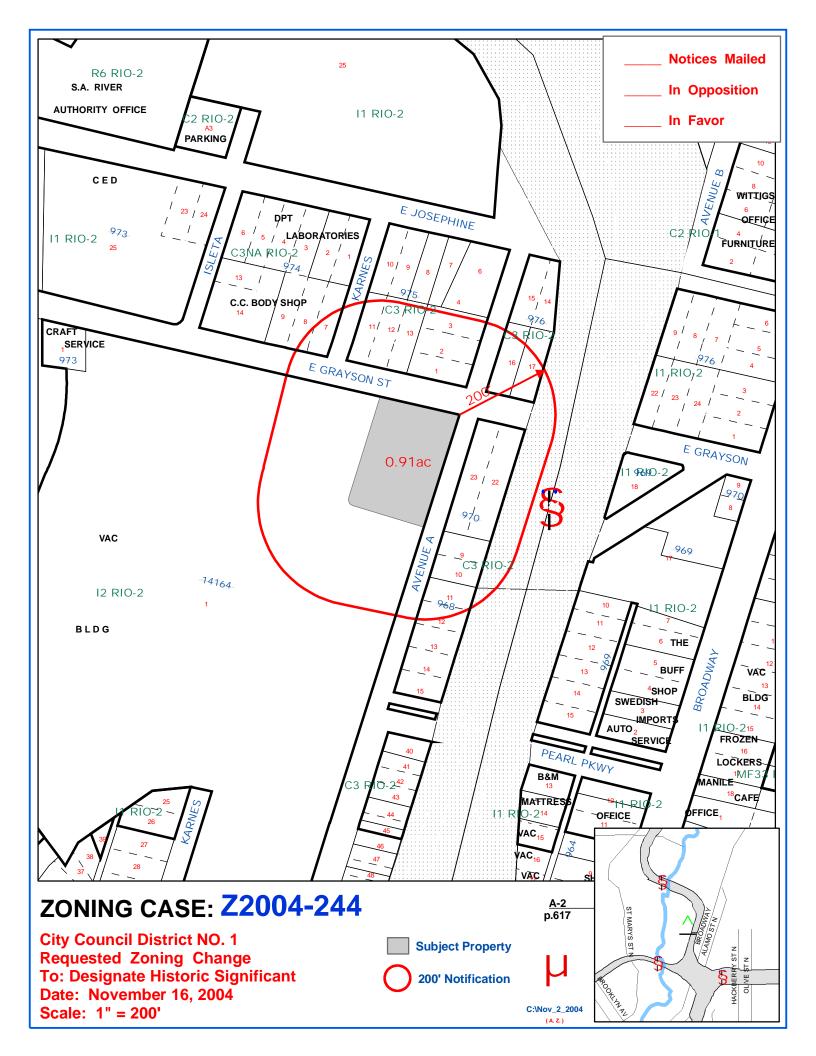
Approval. While the Plan identifies the site for industrial uses, the Tobin Hill Plan does not require a finding of consistency. Conditions in the area have changed since the plan was adopted in 1987 including a major public investment in improving the San Antonio River corridor and the redevelopment of properties along the Broadway corridor. Page 12 of the Tobin Hill Neighborhood Plan indicates, "Provide for major development activity along the San Antonio River Corridor Linear Park, with respect to river scale and project relationships to the setting." On September 15, 2004 the Historic Design and Review Commission (HDRC) recommended a finding of historic significance for this property. The building qualifies as a City of San Antonio Landmark according to the following criteria of the Historic and Design Section of the Unified Development Code:

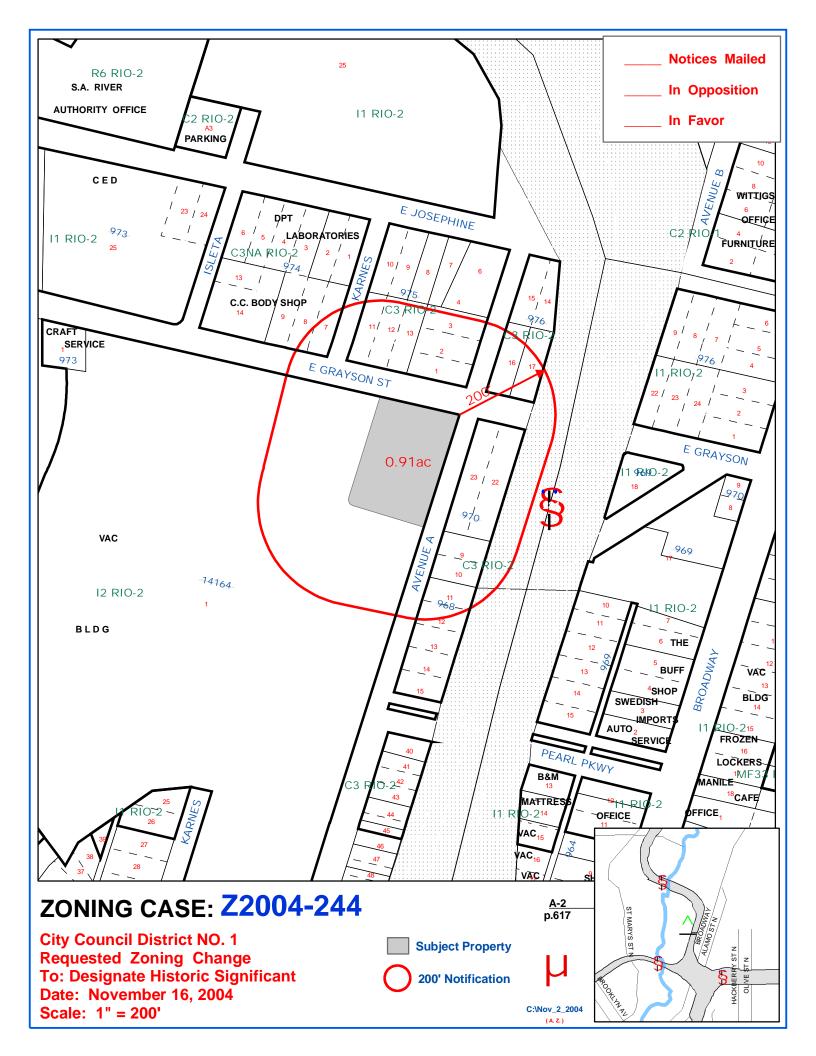
- A. Its identification as the work of an architect whose work has influenced the development of the community (35-607 (b)(4));
- B. Its historical, architectural or cultural character as a particularly fine example of a utilitarian structure (35-607 (b)(6));
- C. Its historical, architectural or cultural integrity of location, design, materials, and workmanship (35-607 (b)(8));
- D. Properties that are a part of a cluster which provide a specific representation of an architectural or historic era (35-607 (c)(1)(A)); and
- E. The building has come to represent a part of San Antonio's cultural heritage for at least twenty-five years (35-607, C-2a).

The property owner is in favor of the proposed zone change.

CASE MANAGER: Eric Dusza 207-7442







Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 4

Ferguson Map: 681 C1

Applicant Name: Owner Name:

Ljubisa Stamenov Ljubisa Stamenov

Zoning Request: From C-3 MAOZ-2Commercial District Military Airport Overaly Zone to I-1 MAOZ-2

General Industrial District Military Airport Overaly Zone.

Property Location: The northeast 140 feet of Lots 7 and 8, Block 12, NCB 14267

8730 IH 35 South

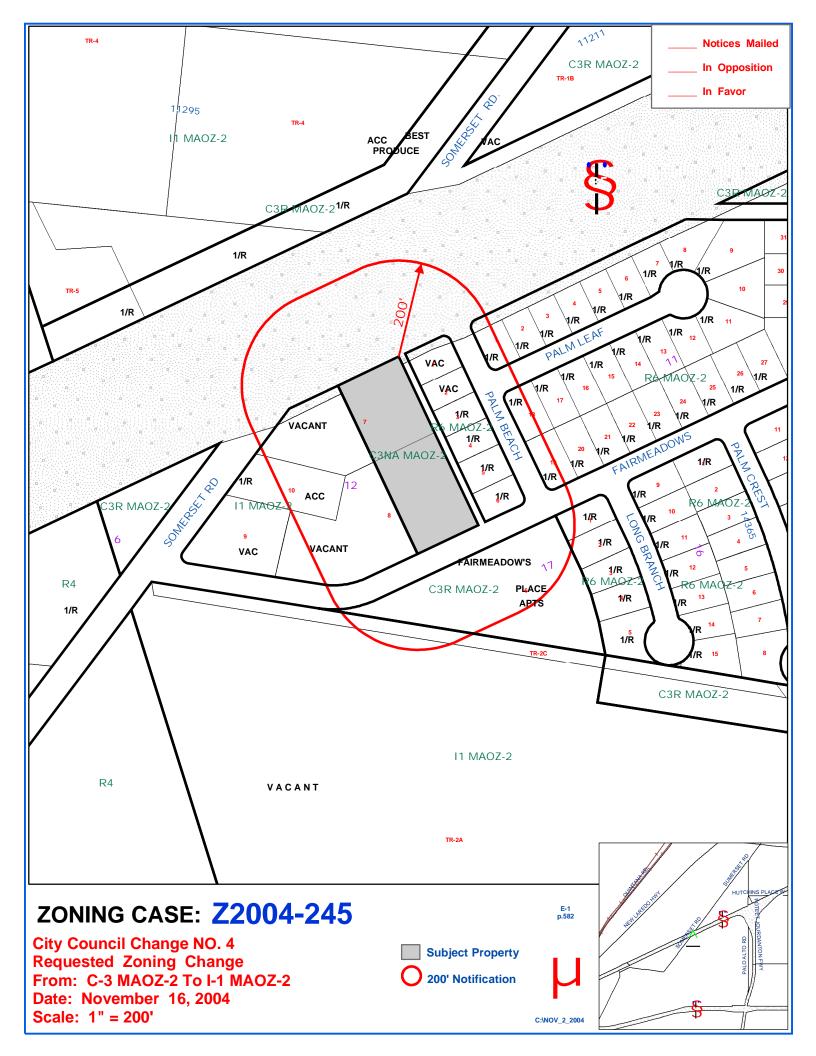
Proposal: For a large truck repair and wash facility **Neigh. Assoc.** South/Southwest Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial. Industrial uses are not appropriate adjacent to residential homes. Heavy truck traffic associated with industrial uses may pose a danger and nuisance to residences in the adjacent neighborhood. The existing C-3 should remain as it provides an acceptable transition between the residential uses to the east and the industrial zoning to the west.



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 4

Ferguson Map: 648 B7

Applicant Name: Owner Name:

JLC Development Co. James Johnson, Jr.

Zoning Request: From R-6 Residential Single Family District to R-5 Residential Single Family District.

Property Location: 7.084 acres out of NCB 15247

Southeast corner of Ray Ellison Blvd. and Five Palms Drive

Proposal: To allow for a single family residential subdivision

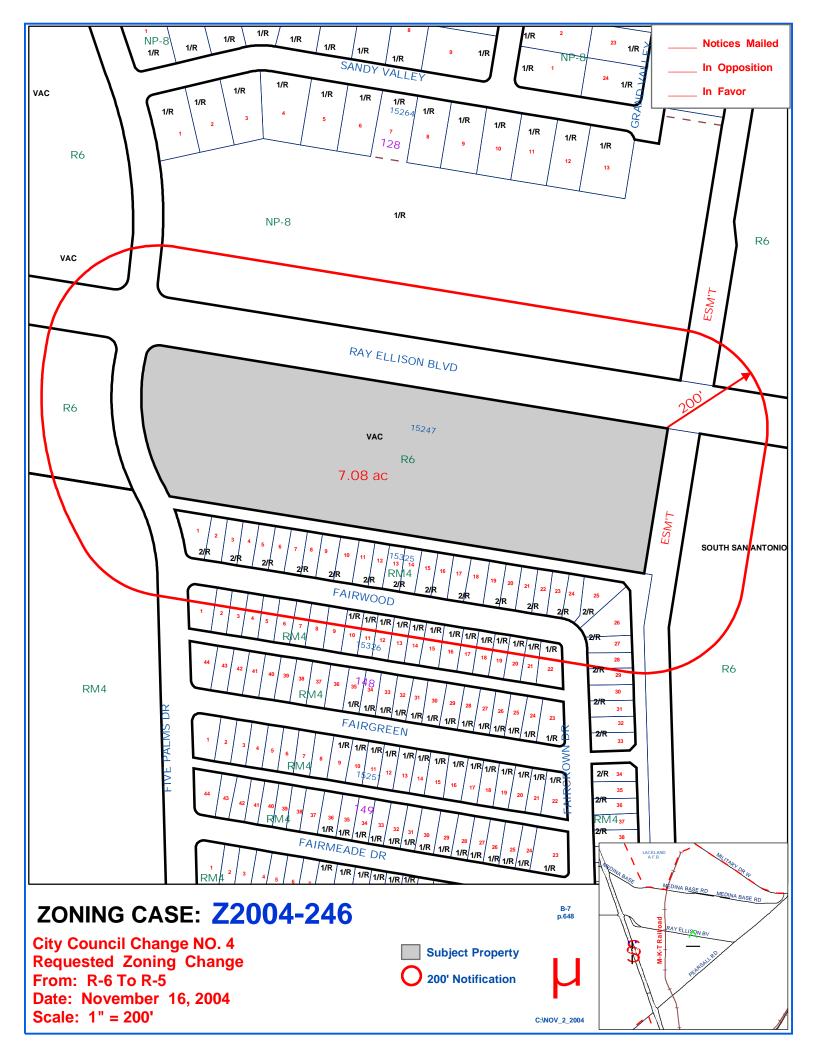
Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The slight density increase will not be harmful to the adjacent neighborhoods.



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 2

Ferguson Map: 619 C4

Applicant Name: Owner Name:

Kaufman & Associates, Inc. Rosillo Creek Development Ltd.

Zoning Request:

From R-6 Residential Single-Family District to C-2 Commercial District on 2.220 acres out of NCB 12867; and Form MH Manufactured Housing District to C-2 Commercial District on 1.423 acres out of NCB 12867; and From MH Manufactured Housing District to R-5 Residential Single-Family District on 62.602 acres out of 12867; and From BP Business Park District to R-5 Residential Single-Family District on 32.784 acres out of NCB 17332 and NCB 17992; and From BP Business Park District to C-2 Commercial District on 3.337 acres out of NCB 17323 and NCB 17992; and From C-3 General Commercial District to R-5 Residential Single-Family District on 2.010 acres out of NCB 17992; and From R-6 Residential Single-Family District to R-5 Residential Single-Family District on 426.693 acres out NCB 12867, NCB 17332, NCB 17992 and NCB 35098; and From C-3 General Commercial District to MF-33 Multi-Family District on 7.522 acres out of NCB 17993 and 35098; and From R-6 Residential Single-Family District to MF-33 Multi-Family District on 27.311 acres out of NCB 17992, NCB 17993 and NCB 35098; and From R-6 Residential Single-family District to C-2 Commercial District on 2.715 acres out of NCB 17992

Property Location:

Southwest corner of IH-10 and Foster Road

Proposal: To allow for a mixed residential and commercial master plan development.

Neigh. Assoc. Eastgate Neighborhood Associations

Neigh. Plan I H 10 East Corridor Plan

TIA Statement: A traffic impact analysis is required and is in compliance with the TIA ordinance

91700. On-site improvements, as well as, improvements along the project limits will

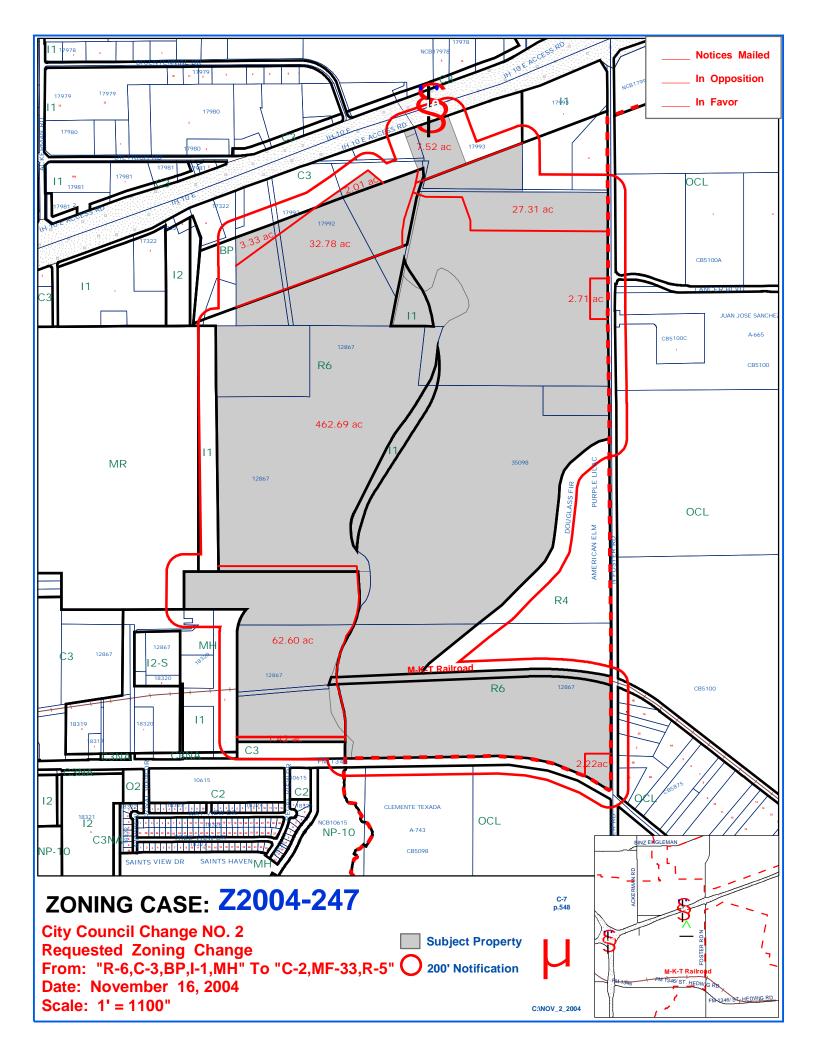
be required and shall be provided by the developer at the time of platting.

Staff Recommendation:

Inconsistent.

The I-H 10 Corridor Perimeter Plan calls for the subject properties to be Community Commercial, Mixed Use, Public/Institutional, Multi-Family Residential, Park/Open Space and Hike and Bike Trails land uses. A Plan Amendment was submitted and will be entertained by Planning Commission on November 10, 2004. The Planning Department is in support of the request.

Denial. The Zoning request is inconsistent with the plan. If the November 10, 2004 Planning Commission request is amendment, the staff would recommend approval. The proposed zoning scenario compatibly integrates open spaces, neighborhood services, community facilities and a variety of residential styles within the neighborhood. The proposed development will promote a more sustainable neighborhood, which



Final Staff Recommendation - Zoning Commission

accommodates a broad range of recreational, service, shopping, and residential needs, thereby reducing automobile trips and encouraging pedestrian travel. The property's location at the intersection of IH 10 and Foster Road will adequately accommodate commercial and local traffic.

CASE MANAGER: Richard Ramirez 207-5018

Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 6

Ferguson Map: 612 A2

Applicant Name: Owner Name:

Dynamic Landhold , L. P. Dynamic Landhold , L. P.

Zoning Request: From R-6 Residential Single-Family District to C-3 Commercial District.

Property Location: 0.36 acres out of NCB 34400

Approximately 500 feet north of the northwest corner West Loop 1604 West and

West Military Drive

Proposal: To complete commercial development to the south. **Neigh. Assoc.** The Villages of Westcreek Neighborhood Association

Neigh. Plan None

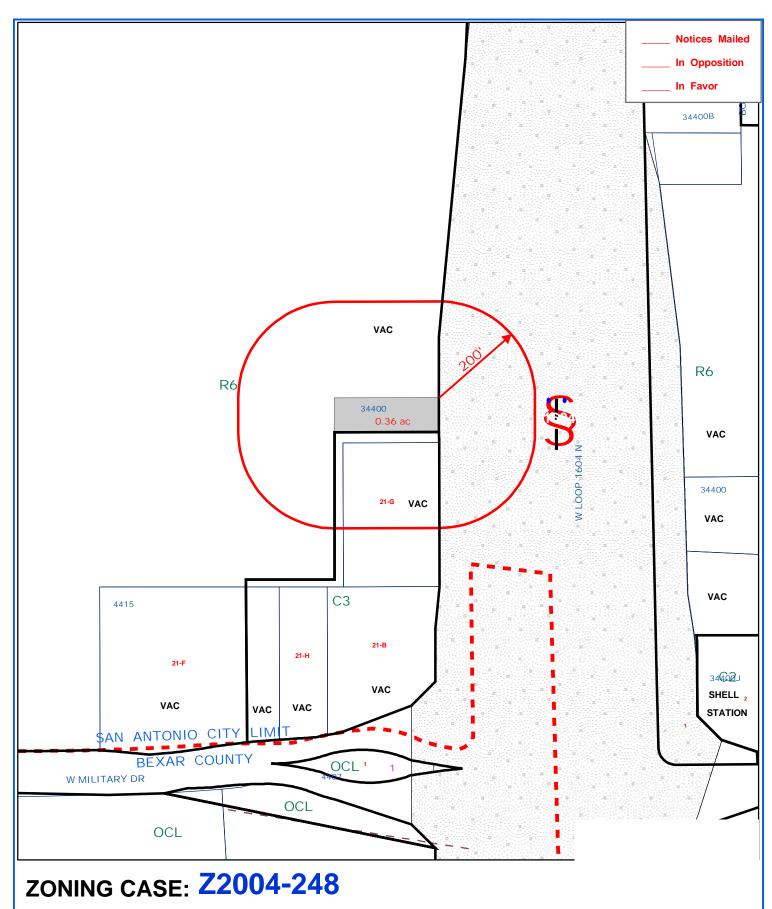
TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval.

The subject property and surrounding properties are currently vacant. The properties to the west and north are currently zoned R-6 Single-Family Residential District. The subject property is located within the West Military Drive (a secondary arterial) and West Loop 1604 North (a freeway) commercial node. A drug store is under construction to the immediate south of the subject property. The subject property will be used to continue the development of the drug store.

CASE MANAGER: Robin Stover 207-7945



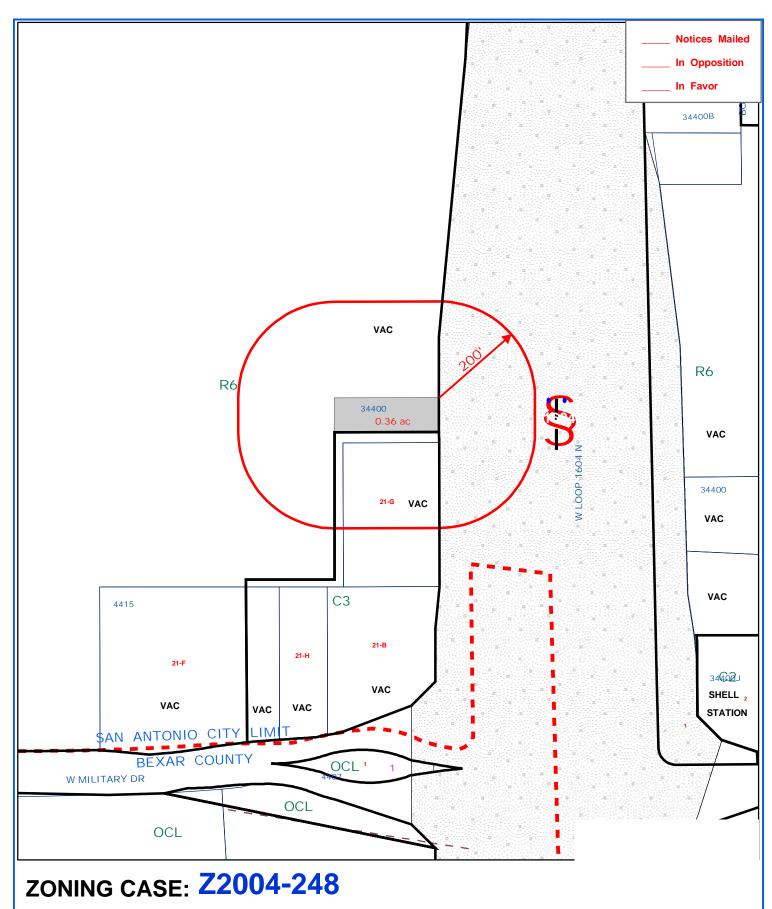
City Council Change NO. 6
Requested Zoning Change

From: "R-6" To "C-3"
Date: November 16, 2004

Scale: 1' = 200"



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City Council Change NO. 6
Requested Zoning Change

From: "R-6" To "C-3"
Date: November 16, 2004

Scale: 1' = 200"



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Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 6

Ferguson Map: 613 C2

Applicant Name: Owner Name:

Hogan Real Estate Services Commonwealth SA - Apartments, LLC

Zoning Request: From R-6 Residential Single-Family District to MF-33 Multi-Family District.

Property Location: 11.94 acres of NCB 15329

8330 Potranco Road

Proposal: To construct a mulit-family development

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required. A Level 1 TIA will be required when the

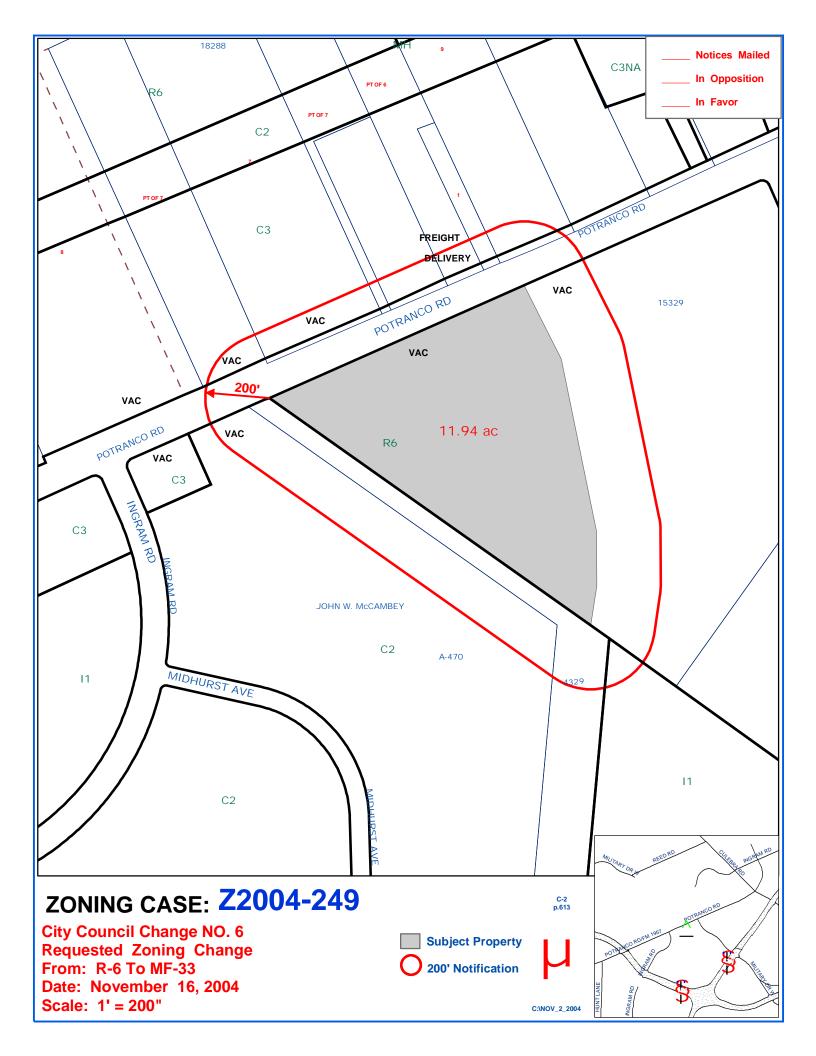
MDP, plat and/or building permit is filed.

Staff Recommendation:

Approval.

The subject property is currently vacant and is located at the intersection of Potranco Road (a primary arterial) and West Military Drive (a secondary arterial). The property to the north is zoned C-3 Commercial District and has commercial development. The other surrounding properties are vacant and zoned R-6 Single-Family Residential District, I-1 Industrial, and C-2 Commercial District. The applicant is requesting MF-33 Multi-Family District in order to construct a 3 story, 250 unit multi-family development. MF-33 was required rather than MF-25 due to height restrictions. This development would serve as a nice transition between the C-2 Commercial District, I-1 Industrial, and the R-6 Single-Family Residential District.

CASE MANAGER: Robin Stover 207-7945



CASE NO: Z2004250 C

Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 2

Ferguson Map: 619 A3

Applicant Name: Owner Name:

Carlos Fernandez Carlos Fernandez

Zoning Request: From C-3NA Commercial District, Nonalcoholic Sales to C-3NA C Commercial District,

Nonalcoholic Sales, with a Conditional Use for Repairs of Semi-trucks.

Property Location: The east 125 feet of Lots 20 thru 22, Block 2, NCB 12869

801 Stutts Drive

North west corner of Stutts Drive and Crossway

Proposal: For engine repair of semi-trucks **Neigh. Assoc.** East Gate Neighborhood Association

Neigh. Plan I H 10 East Corridor Plan

TIA Statement: A Traffic Impact Analysis is not required

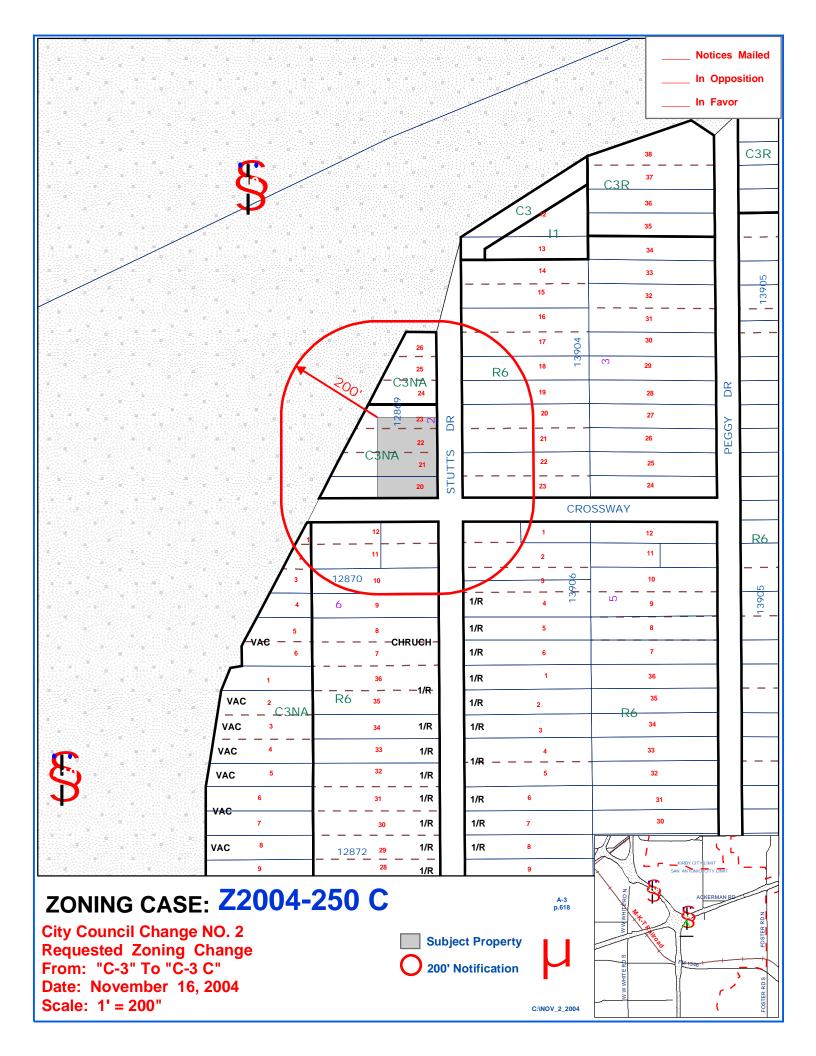
Staff Recommendation:

Inconsistent.

The I-H 10 Corridor Perimeter Plan calls for the subject property and surrounding area to be Single-Family Residential following the access road back to Martindale Air Field.

Denial. The area is residential in character. The subject property has R-6 zoning and uses to the east and south. Northeast Loop 410 is the western boundary, with limited access to the property via a one-way access road. Truck repair and maintenance is an I-1 use and is not consistent with development pattern or recommended in a residential neighborhood.

CASE MANAGER: Richard Ramirez 207-5018



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 7

Ferguson Map: 581 C8

Applicant Name: Owner Name:

Kaufman & Associates, Inc. Frank Nalasco

Zoning Request: From R-5 Residential Single-Family District to C-2 Commercial District.

Property Location: The south 178.52 feet of the west 164.98 feet of Lot B, NCB 11511

1009 Bandera Road

North of Embassy Street south of Bandera Road

Proposal: To construct a bank with drive-through and ATM service.

Neigh. Assoc. University Park Neighborhood Association (Donaldson Terrace Neighborhood

Association with 200 feet)

Neigh. Plan None

TIA Statement: A Level 1 Traffic Impact Analysis (TIA) is required. The TIA was submitted and

reviewed by the Traffic Engineer. The applicant must adhere to all on-site

improvements outlined in the TIA.

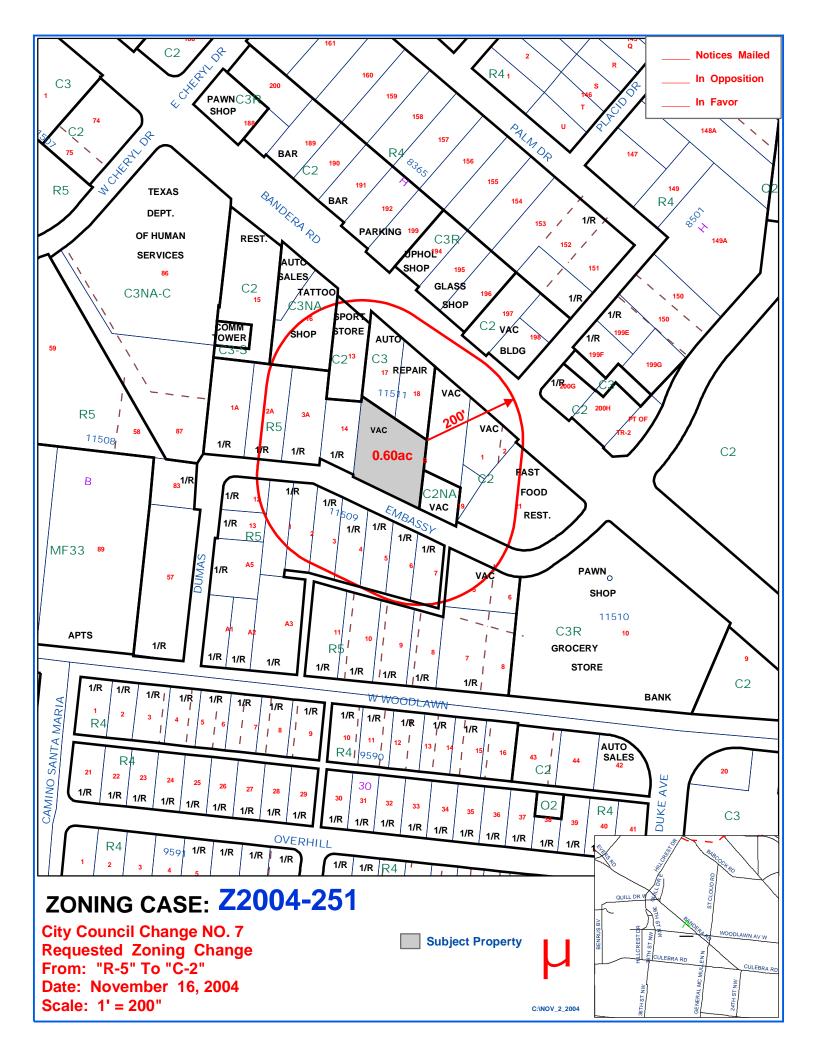
Staff Recommendation:

Denial

The subject property is a .60 acre piece of vacant land directly fronting Embassy Street, a Local A. The subject property is a small portion of a much larger area considered for the development of the bank. The entire bank development will cover Lots 1, 2, 16, 17, 19 and Lot B. The applicant intends to develop the bank fronting Bandera Road with ingress and egress off of both Bandera Road and Embassy Street. The subject property is surrounded by commercial uses and zoning to the north and east with residential zoning and single-family homes directly adjacent to the west and to the south across Embassy Street.

If approved, the requested zoning will add to the commercial encroachment into the residential area along Embassy Street. The requested C-2 zoning district is not compatible with the residential zoning and uses directly across the street. Ideally, like uses should front like uses. Residential development would be more appropriate on the subject property.

CASE MANAGER: Christie Chapman 207-8389



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 8

Ferguson Map: 480 B7

Applicant Name: Owner Name:

Zelzer Corporation Zelzer Corporation

Zoning Request: From R-6 Residential Single-Family Hill Country Gateway Corridor District (GC-1) to

MF-33 Multi-Family Hill Country Gateway Corridor District (GC-1).

Property Location: 5.020 acre tract of land out of NCB 34760

20025 IH 10 West

Westside of IH 10 West

Proposal: To develop townhomes and apartments

Neigh. Assoc. None

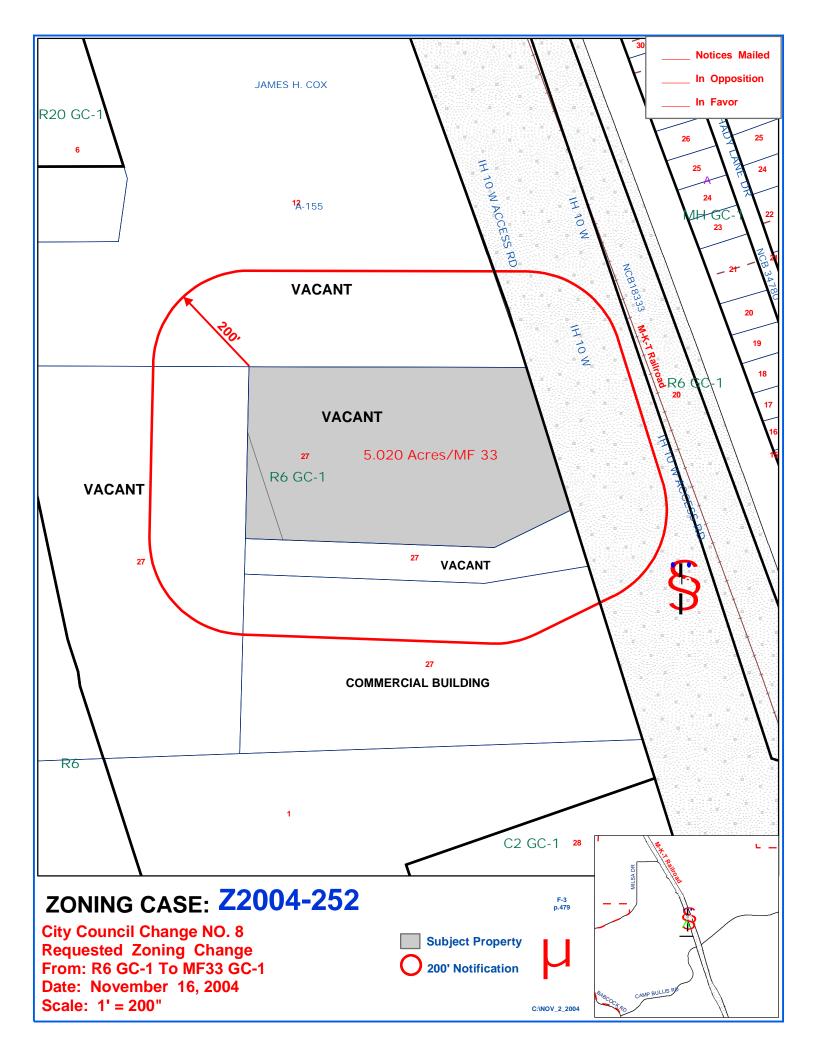
Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval. The subject property is undeveloped and located on IH 10 West. The subject property is adjacent to R-6 Residential Single-Family Hill Country Gateway Corridor District (GC-1) to the west, north and to the south. The MF-33 Multi-Family Hill Country Gateway Corridor District (GC-1) would be appropriate and is located in an area suitable for medium density multi-family use.

CASE MANAGER: Pedro Vega 207-7980



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 6

Ferguson Map: 613 A5

Applicant Name: Owner Name:

Earl & Associates, P. C. Lakeside Properties Ltd.

Zoning Request: From C-3NA Commercial District, Nonalcoholic Sales, I-1 General Industrial District

and R-6 Residential Single Family District to R-5 Residential Single Family District.

Property Location: P-4F, NCB 15850, P-5, NCB 17876

Southwest corner of Old Hunt Lane and Heritage Farm

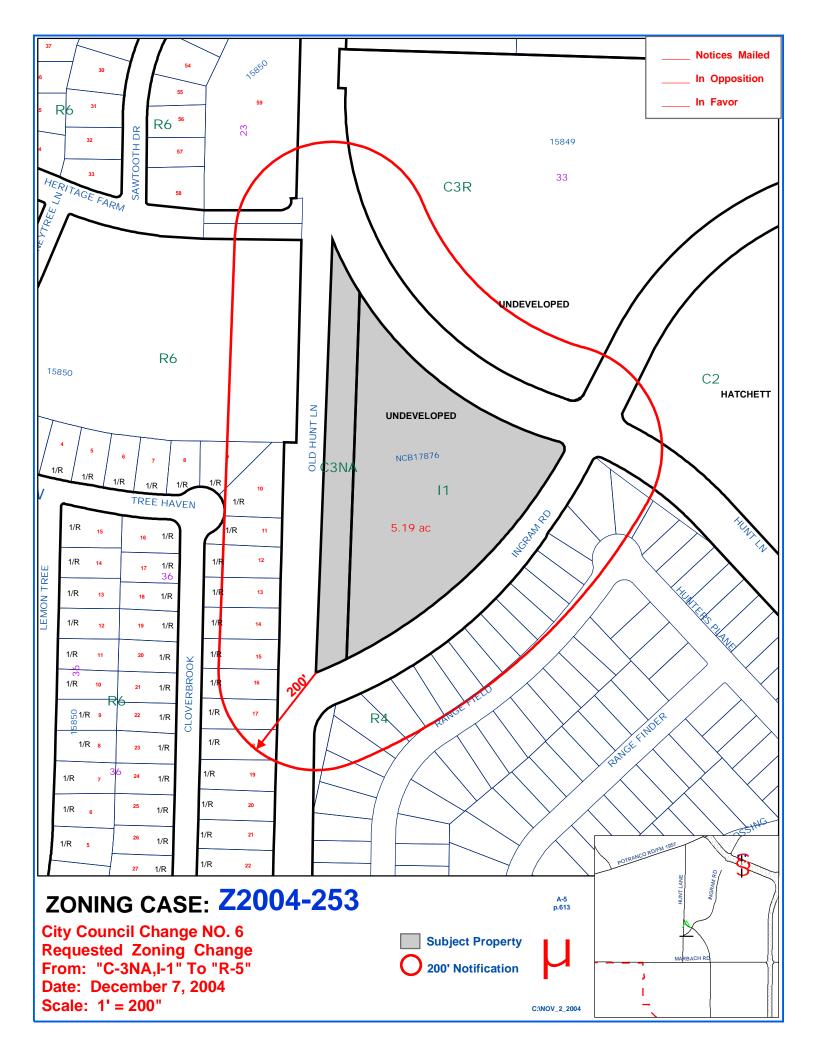
Proposal: To be developed as a single family residential community.

Neigh. Assoc. Heritage Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:



Final Staff Recommendation - Zoning Commission

Date: November 16, 2004

Council District: 8

Ferguson Map: 549 E3

Applicant Name: Owner Name:

City of San Antonio Multiple Owners

Zoning Request: To establish Neighborhood Conservation District 4 (NCD-4) Overlay

Property Location: Property generally bound by Wurzbach Parkway on the northwest, Lockhill-Selma

Road on the northeast, Dreamland on the southeast and the Union Pacific Railroad

right-of-way on the southwest

As per exhibit map

Proposal: To establish Neighborhood Conservation District

Neigh. Assoc. Whispering Oaks, Elm Creek, Vance Jackson and Dreamland Oaks Neighborhood

Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval. The Whispering Oaks Neighborhood meets the requirements for a Neighborhood Conservation District. The Neighborhood Conservation District (NCD) Program was developed in response to the 1997 COSA Master Plan Goals that suggested the City develop criteria for infill development, and the 1998 CRAG Report Recommendation to create and designate Conservation Districts. The Whispering Oaks NCD Plan satisfies the program criteria, which notes the NCD Plan area must: a) be a minimum of one block face, b) have a minimum of 75% of the land area improved at least 25 years ago and presently improved and c) possess one or more distinctive neighborhood features. Property owners within the Whispering Oaks NCD have developed a set of design standards that address and protect their unique neighborhood conditions and values.

These standards provide a level of certainty for both property owners and developers, when addressing infill development. The Neighborhood Conservation District will preserve, protect, enhance and perpetuate the value of the residential neighborhood.

CASE MANAGER: Richard Ramirez 207-5018

